

1 (Proceedings commenced at 4:02 p.m.)

2 THE CLERK: Criminal cause for arraignment, USA
3 versus Ralf Treiman, 09-750.

4 Appearances for the record?

5 MR. TOOSSI: Amir Toossi for the government.
6 Good afternoon, Your Honor.

7 MR. SCHNEIDER: Federal Defenders by Michael
8 Schneider for Mr. Treiman. Good afternoon.

9 THE COURT: Good afternoon. Good afternoon, Mr.
10 Treiman.

11 Mr. Treiman, the purpose of today's proceeding is
12 to make sure that you understand the nature of the charges
13 that are being made against you by the United States and to
14 make sure that you understand that you have certain
15 Constitutional rights.

16 First, you have the right to be represented by an
17 attorney at today's proceeding and at all future
18 proceedings before this Court.

19 Towards that end, you filled out a financial
20 affidavit when you met with Pre-Trial Services which states
21 that you are not presently employed.

22 The Court finds that you would be unable to
23 afford to retain counsel and the Court appoints the Federal
24 Defenders of New York to be your attorney in today's
25 proceeding and in all future proceedings in this Court

1 arising out of these charges.

2 You have the right to remain silent. If you
3 started to make a statement, you may stop. Any statement
4 that you do make to anyone other than your attorney can be
5 used against you.

6 Do you understand that you have the right to
7 counsel and the right to remain silent, sir?

8 THE DEFENDANT: (Inaudible.)

9 THE COURT: Mr. Treiman, have you had the
10 opportunity to review the complaint and affidavit that have
11 been filed against you with your attorney?

12 THE DEFENDANT: (Inaudible.)

13 THE COURT: Do you understand the charges, sir?

14 THE DEFENDANT: (Inaudible.)

15 THE COURT: And Mr. Schneider, have you had the
16 opportunity to review the complaint and affidavit in
17 support of the application for the arrest warrant with Mr.
18 Treiman?

19 MR. SCHNEIDER: Yes, I have.

20 THE COURT: Do you believe he understands the
21 charges?

22 MR. SCHNEIDER: Yes.

23 THE COURT: What is the government's position on
24 the question of detention or bail?

25 MR. TOOSI: Your Honor, the government would

1 request a permanent order of detention.

2 The defendant not only is here -- he here on a
3 writ from State court, but he has no legal status in the
4 United States. He does not have any real community ties.

5 He does not have any family in the United States
6 and he did state to Pre-Trial that his girlfriend is living
7 in Estonia, does not have employment here.

8 Just for those reasons, the government would
9 request a permanent order of detention.

10 THE COURT: Mr. Schneider, is there any
11 application today?

12 MR. SCHNEIDER: No, Your Honor. I understand Mr.
13 Treiman is held without bail in New York State Supreme
14 Court so I'm not making a bail application here.

15 THE COURT: Mr. Treiman, I am going to order that
16 you be detained pending your trial on these charges.

17 However, I am granting you leave to present a bail
18 package in the future should your circumstances change.

19 Mr. Schneider, what is your client's position
20 with respect to any preliminary hearing?

21 MR. SCHNEIDER: We'll waive the preliminary
22 hearing.

23 THE COURT: The preliminary hearing is waived.
24 Is there any other matter that needs to be addressed today
25 on behalf of the United States?

1 MR. TOOSSI: No, Your Honor.

2 THE COURT: Any other matter on behalf of Mr.
3 Treiman?

4 MR. SCHNEIDER: Well, Mr. Treiman is interested
5 to know whether the government is going to satisfy the writ
6 and he's going to go back to Rikers Island or whether
7 they're going to keep him at the MDC.

8 THE COURT: At the MDC?

9 MR. SCHNEIDER: Yes.

10 MR. TOOSSI: Your Honor, I actually -- I assume
11 that we would be keeping him at the MDC until --

12 THE COURT: He's indicted.

13 MR. TOOSSI: -- his case -- until he's indicted.

14 THE COURT: And it would require somebody to sign
15 to satisfy the writ --

16 MR. TOOSSI: Correct.

17 THE COURT: -- and the writ is in the file but
18 I'm not signing to say that it's been satisfied at the
19 moment. It hasn't been presented to me for such purpose.

20 MR. SCHNEIDER: I understand.

21 THE COURT: So for the short term, Mr. Treiman,
22 the answer is you'll probably be at MDC. I can't answer
23 for the long term.

24 Okay? With that, we are adjourned. Thank you.

25 (Proceedings concluded at 4:05 p.m.)

1 I, CHRISTINE FIORE, court-approved transcriber and
2 certified electronic reporter and transcriber, certify that
3 the foregoing is a correct transcript from the official
4 electronic sound recording of the proceedings in the above-
5 entitled matter.

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8 May 15, 2010

9 Christine Fiore, CERT

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